

**Enrolled Memorandum of the Meeting  
Sixth Special or Regular Meeting  
Special Meeting  
Twenty-Ninth Town Council of Highland  
Friday, March 13, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a **special meeting** called on **Friday, March 13, 2020** at 6:30 O'clock P.M., in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President called a **special meeting** of the Town Council to address an emergency involving actual or threatened injury to persons or property, or actual disruption of the governmental activity conducted by the Town of Highland, owing to the emerging state and national emergency regarding Corona Virus COVID 19. Notice of the special meeting was issued to the Town Council and to all members of the media that had presented a request before January 1 of the current year at the same time earlier in the day. (No media presented such a request.) Nevertheless, notices were issued to journalists and representatives of the TIMES of NWI and the POST-TRIBUNE as well as Lakeshore Radio and WJOB by electronic mail. (Confer IC 5-14-1.5-5(d))

**Silent Roll Call:** Councilors Mark Herak, Mark Schocke, Thomas Black, Roger Sheeman and Councilor Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

*Officials Present:* John P. Reed, Town Attorney; John M Bach, Public Works Director; Mark Knesek, Operations Director; Peter T. Hojnicky, Police Chief; Pat Vassar, Assistant Police Chief; John Banasiak, Police Commander; Ralph Potesta, Police Commander CID; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner; and William R. Timmer, Jr., CFOD, Fire Chief, were present.

*Additional Officials Present:* Luanne Jurczak, Highland School Town Board of Trustees; Chris Ray and Carlos Aburto, Park and Recreation Board; and Larry Kondrat, Board of Waterworks Directors, were also present.

*Guests:* Robin Carlascio of the Idea Factory was also present.

- 1. Reviewed Circumstances with the Corona Virus COVID 19 and the Activation of the Communications Protocol by the Fire Chief:** The Town Council President explained that the special meeting to deal with emergency circumstances. The Town Council President reported that the Fire Chief had convened a meeting of department leadership earlier in the morning in light of the need to preserve continuity of government and to begin to assist the policy leaders with developing or activating policies that the emerging situation required.

With leave from the Town Council, the Fire Chief then offered an overview of the situation and how there would be increasing changes owing to the corona virus COVID 19. He noted that the School Town just announced additional days of closure one week before the scheduled spring break and a two weeks following.

It was noted that the state universities had closed for a month around the scheduled Spring breaks as well. The Fire Chief circulated a packet of materials containing guidance and information from the Centers for Disease Control, the Indiana State Board of Health and Community Healthcare dealing with the corona virus and the

importance of washing hands and initiating social separation, to slow the spread of the virus.

It was further noted that the virus had been defined as a pandemic.

- 2. Discussion of how to protect municipal employees and their compensation as well as the current sufficiency of existing policies for paid time off and care for workers who may test positively for the virus.** The Town Council and the Town Attorney discussed the existing policies regarding paid time off and sick leave. It was discerned that for the full-time work force there were sufficient policies to allow for workers to remain employed and compensated.

The Town Council and the group assembled discussed the ways and means of dealing with a (full-time) worker who is not symptomatic but has been possibly exposed. It was noted that it was desirable to have the worker quarantine outside the workplace for 15 days. It was further noted that a provision in the Compensation and Benefits Ordinance commonly called the Employee Handbook provides for an administrative leave of 10 days that is renewable (Confer Section 5.11.02). The predicate for it is relatively broad. It was suggested that this could be used in such a case if a worker had no other paid time off.

The discussion included the aspiration of some of the department heads to be able to restore to workers any accumulated paid time off used in consequence of the corona virus if possible. The Town Council did not act on that but did not express objection to the concept. Excerpts of some of the relevant provisions in the Compensation and Benefits Ordinance were distributed to the Town Council and Town Attorney.

**§ 5.11.02 Special Administrative Leave**

A municipal employee may be granted administrative leave with pay and continuation of benefits in limited circumstances, where deemed necessary and appropriate. The leave shall not exceed ten (10) days but may be renewed or extended with the same approval needed for the initial grant of leave. The leave may not be initiated by the employee for whom the leave is granted. Before administrative leave with pay and continuation of benefits may be granted, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
2. Chairman, of the relevant Board or Commission; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

**§ 5.04 Use of Donated Leave**

**§ 5.04.01** An employee may volunteer to share accumulated vacation leave or personal leave hours with another employee. Leave may only be donated to an employee for the beneficiary employee's own illness or injury when the beneficiary employee does not have enough time in his or her own accumulated leave accounts. Donated leave may not be used for the care or support of the employee's family.

**§ 5.04.02** Donated leave time must be in increments of at least eight (8) hours.

**§ 5.04.03** Both employees must receive approval from their departmental director and document the exchange of time with the Office of the Clerk-Treasurer. An employee must exhaust all sick leave, vacation leave, personal and overtime compensatory leave to be eligible to receive donated hours from other employees. The maximum amount of leave time an employee may accept is 1,040 hours. The employee will receive the time on an as needed basis and not in one lump sum.

**§ 5.04.04** If donated time exceeds the amount of leave needed by the ill or injured employee, the leave balance will be restored for use by the donor employee.

**§ 5.03 Personal Leave**

Regular full-time employees earn personal leave at the rate of 6 days per year. Unused personal leave may be accumulated to a maximum of 20 days. Accumulated personal leave is paid to employees upon separation of employment.

**§ 5.03.01** Each regular full-time employee is entitled to six (6) personal days after employment of one (1) full calendar year with the Town, and six (6) personal days each year thereafter. These days may be used as personal business or sick days. These days are cumulative and if not used will be paid at the employee's current rate upon retirement or termination, subject to a maximum number. If a separation occurs while an employee is on a medical disability, the personal days will be paid at the rate immediately prior to the medical disability going into effect.

**§ 5.03.02** The maximum number of personal days that may be cumulated and carried by any employee is fixed at twenty (20). Accumulations will be annually determined at the amount duly cumulated and credited to the worker as of December 31 of each year. At no time will any employee be paid for any more than twenty unused personal days at retirement or separation from service.

The Town Council and the Fire Chief discussed the challenges to obtain any diagnostic testing in the event that a worker was concerned about exposure and as a way to confirm worker's valid absence if the worker was diagnosed with the virus.

- 3. Discussion of Building Closure and the Lincoln Community Center.** The Town Council and the Department Heads discussed the policy of closing the Town Hall from public entrance and conducting as much business as possible for utility customers online, or by drop boxes.

There was general assent to the idea of closing the Town hall generally from usual traffic and to make it limited during meetings of various boards and commissions.

It was noted that the School Town closed all the schools and that the Board of School Town Trustees intended to pass a resolution to pay workers during the closing owing to the corona virus.

The Town Council, the representatives from the Park and Recreation Board and the Parks and Recreation Superintendent discussed whether to close the Lincoln Community Center. The discussion included the issues of revenue dependence for the operating budget of the Parks and Recreation Department from the Fitness Center and the Daycare. The discussion included the likely increased assembly of kids seeking to use the fieldhouse owing to the closing of the schools.

- 4. Protecting compensation for Part-Time workers and Paid n Call Firefighters.** The Town Council, the Town Council President and the several department heads discussed the desirability of protecting the compensation for part-time workers. The discussion included the differences between and among the types of part-time workers in the several departments.

The discussion included a consideration of the special part-time workers styled as "eligible" workers who are regularly scheduled 30 or more hours and are offered participation in the group health insurance pursuant to the requirements of the Affordable Care Act. It was noted that some part-time workers have no expectation of continued compensation when there is no work or an inability to work.

The discussion included the costs of protecting workers. The required reserves for the Corporation General Fund, the Parks and Recreation General Fund and the Redevelopment General Fund, are in all cases funded in excess of the required reserve target. It was noted that these reserves were offsetting losses from property tax caps but could be in some cases support some compensation for part time and full time workers.

There was no apparent consensus exhibited by the Town Council regarding the matter. The Town Attorney stated that he would try to prepare an ordinance that could be considered by the Town Council to address the part-time compensation and other issues.

5. **Preliminary Authorization for Town Council President to Close Buildings.** The Town Council, the Town Council President and the Town Attorney discussed whether it was desirable to authorize the Town Council President to be empowered to determine whether other buildings could be further restricted or closed such as the Lincoln Community Center, rather than requiring the Town Council to reconvene for that issue. It was determined that interim authority could be granted.

*Authorization for Town Council President Action on Buildings.* Councilor Zemen moved to authorize the Town Council President to order closure or some sections in whole or in part to be closed to the public. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Town Council President was authorized to act on partial or total public closure of public buildings.

There being no further business necessary or desired to be discussed by the Town Council, the special meeting of the Town Council of **Friday, March 13, 2020**, was adjourned by the Town Council President at 8:00 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

Approved by the Town Council at its meeting of \_\_\_\_\_, 2020.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer